

REMARKS

1. Applicant thanks the Examiner for the comments in the detailed Office action which
5 have greatly assisted Applicant in responding.

2. 35 U.S.C. §112. Applicant has amended Claims 1, 8, 9, 11, 24, 29, 30 and has
cancelled Claims 4, 10, 25 and 36. Clarifications and corrections have been made by the
amendments which are fully supported by the specification (in particular, page 5 paragraph
10 3, page 10 last paragraph, and page 11 paragraphs 1-2). No new matter is added.
Therefore, Claims 1, 5, 10-11, 15, and 29 are in compliance with 35 U.S.C. §112 and the
rejection is now deemed moot.

3. 35 U.S.C. § 102(b). The Examiner has rejected Claims 1-33 and 36 under 35
15 U.S.C. §102(b) as being anticipated by WOLFF (5,809,128).

Applicant respectfully disagrees.

As stated above, Applicant has amended Claims 1, 8, 9, 11, 24, 29, 30 and has cancelled
20 Claims 4, 10, 25 and 36. The amendments are fully supported by the specification (in
particular, page 5 paragraph 3, page 10 last paragraph, and page 11 paragraphs 1-2) and
no new matter is added.

Independent Claims 1, 11, 29, and 30 now read as:

25

1. A method of controlling a telephone call to an instant messaging user, comprising:
 - (a) receiving at a call server a call directed to the user;
 - (b) identifying an instant messaging service used by the user;
 - (c) sending an instant message to the user through the instant messaging service to offer
30 the user one or more options for responding to the call;
 - (d) if no response is received from the user within a predetermined period of time,
controlling the call as specified in a default option; and
otherwise:
 - (e) receiving an option selection from the user over the instant messaging service; and
35 (f) controlling the call as specified in said selected option;

wherein when the user selects an option to answer the call over the instant messaging service, the controlling step further comprises the steps of:

(f1) if the instant messaging service is communicatively coupled to both a microphone and a speaker at the user's side, establishing an audio connection between the user and the caller; and

(f2) if the instant messaging service is not communicatively coupled to both a microphone and a speaker at the user's side, establishing verbal-textual communication between the caller and the user by enabling speech-to-text and/or text-to-speech conversion modules.

11. A method of handling a telephone call for a subscriber, comprising:

(a) receiving at a call server a call for a subscriber;

(b) identifying a first computer-implemented instant messaging system used by the subscriber;

(c) sending a first instant message to the subscriber through the instant messaging system, wherein said first instant message includes a first set of options for handling the call and one or more of said first set of call handling options comprise links to said call server;

if the subscriber selects one of said first set of call handling options;

(d) receiving a communication connection from the subscriber, wherein said connection is initiated by the subscriber's selection of a call handling option that comprises a link; and

(e) handling the call as specified in said selected call handling option;

wherein when the subscriber selects an option to answer the call over the instant messaging service, the controlling step further comprises the steps of:

(e1) if the instant messaging service is communicatively coupled to both a microphone and a speaker at the subscriber's side, establishing an audio connection between the subscriber and the caller; and

(e2) if the instant messaging service is not communicatively coupled to both a microphone and a speaker at the subscriber's side, establishing verbal-textual communication between the caller and the subscriber by enabling speech-to-text and/or text-to-speech conversion modules.

29. A computer readable storage medium storing instructions that, when executed by a computer, cause the computer to perform a method of controlling a telephone call to an instant messaging user, the method comprising the steps of:

- (a) receiving at a call server a call directed to the user;
- 5 (b) identifying an instant messaging service used by the user;
- (c) sending an instant message to the user through the instant messaging service to offer the user one or more options for responding to the call;
- (d) if no response is received from the user within a predetermined period of time, controlling the call as specified in a default option; and

10 otherwise:

- (e) receiving an option selection from the user; and
- (f) controlling the call as specified in said selected option;

wherein when the user selects an option to answer the call over the instant messaging service, the controlling step further comprises the steps of:

15 **(f1) if the instant messaging service is communicatively coupled to both a microphone and a speaker at the user's side, establishing an audio connection between the user and the caller; and**

(f2) if the instant messaging service is not communicatively coupled to both a microphone and a speaker at the user's side, establishing verbal-textual communication
20 **between the caller and the user by enabling speech-to-text and/or text-to-speech conversion modules.**

30. A call control system for handling calls in real-time, comprising:

- a call receiver module configured to receive a call directed to a subscriber;
- 25 a database of subscriber profiles, wherein a profile for a first subscriber includes one or more user names of the first subscriber for one or more instant messaging systems;
- an instant messaging module configured to send an initial instant messaging message to the first subscriber in response to receipt of a call for the first subscriber from a caller, wherein said initial instant messaging message includes a set of options for handling the call;
- 30 a voicemail module configured to record an incoming message from the caller if the first subscriber selects a voicemail option for handling the call;

a message playback module configured to play an outgoing message for the caller if the first subscriber selects a message playback option for handling the call; and

an audio module configured to establish an audio connection with the first subscriber if the first subscriber selects a call handling option for answering the call, said audio module being
5 further configured to establish an audio connection with the first subscriber if the first subscriber selects a voicemail with screening option for handling the call; and

at least one text-to-speech and speech-to-text conversion modules which, along with other components of the system, enable verbal-textual communication between the first subscriber and the caller over the instant messaging system being used by the first
10 subscriber.

Each of these independent claims includes and defines a subject matter of enabling a caller and an instant messaging service user to communicate over the communication channel established by, among other components, the instant messaging service system. When
15 the instant messaging service is not communicatively coupled to both a speaker and a microphone at the user's side, in other words, when an audio communication means is not immediately available to the user while he chooses to communicate with the caller through the instant messaging system, the text-to-speech and speech-to-text functions are enabled and thus the user can conduct a textual-verbal communication with the caller. In this
20 textual-verbal communication, the caller delivers his oral messages and receives oral messages converted from the user's textual messages, and the user chat with the caller by delivering textual messages and receiving textual messages converted from the caller's oral messages. In more specific situations where either a speaker or a microphone is not available to the user, the user can communicate with the caller by typing outbound
25 messages and listening to inbound oral messages from the caller (the user's device equipped with speaker but no microphone) or by delivering outbound oral messages and reading inbound textual messages converted from the caller's oral message (user's device equipped with microphone but no speaker).

30 WOLFF neither discloses nor suggests the inventive subject matter claimed in the amended independent claims of the present invention and summarized above. In particular, neither an instant messaging mechanism nor a "voice over Internet Protocol" (VOIP) is involved in WOLFF. According to WOLFF, although the end user can, through a screen pop-up interface in his computational device (FIG. 4), choose to route an inbound call to a

telephone number or send a pre-formatted textual reply message which can be converted to a pre-recorded oral message to the caller (66, 50, FIG. 2), the end user cannot conduct a two-way instant communication with the caller because the communication channel in the system according to WOLFF is not instant messaging based. Needless to mention that in the situations where the end user's computational/communicational device is not communicatively coupled to a microphone and a speaker, the end user is unable to conduct a real time communication at all. However, the present invention enables an end user to conduct a verbal-verbal chat or a verbal-textual chat with a telephone caller over an instant messaging system. Further, an ordinary person skilled in the art at the time WOLFF was conceived and filed could not imagine the inventive combination of the telephone management system (called electronic receptionist in WOLFF) with a computer network based or Internet based instant messaging system. Thus, the subject matter defined in the independent claims is neither anticipated by WOLFF nor rendered obvious by combination of WOLFF with any of the cited references.

Therefore, independent Claims 1, 11, 29, and 30 are allowable. The dependent claims in the listing of the claims include further inventive limitations to the subject matter of the independent claims. Because Claims 1, 11, 29 and 30 are allowable, the dependent claims should also be allowable.


CONCLUSION

5 Based on the foregoing, Applicant considers the present invention to be distinguished from
the art of record. Accordingly, Applicant earnestly solicits the Examiner's withdrawal of the
rejections raised in the above referenced Office Action, such that a Notice of Allowance is
forwarded to Applicant, and the present application is therefore allowed to issue as a
United States patent.

10

Respectfully Submitted,

15



Michael A. Glenn
Reg. No. 30,176

20

Customer No. 22862